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August 16, 1991

Mr. Steve C. Tribble  
Director, Division of Records and Reporting  
Florida Public Service Commission  
101 East Gaines Street  
Tallahassee, Florida 32301

**ORIGINAL  
FILE COPY**

Re: FPSC Docket No. 910163-TL

Dear Mr. Tribble:

Enclosed please find an original and fifteen copies of Southern Bell Telephone and Telegraph Company's Response and Objections to Public Counsel's Seventh Request for Production of Documents and Motion for a Temporary Protective Order, which we ask that you file in the captioned docket.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served on the parties shown on the attached Certificate of Service.

Sincerely yours

*R. Douglas Lackey*  
R. Douglas Lackey

ACK     
AFA     
APP     
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CMU     
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EAG     
LEG     
LIN     
OPC     
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WAS     
OTH   

Enclosures

cc: All Parties of Record  
A. M. Lombardo  
H. R. Anthony

**RECEIVED & FILED**  
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

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A BELL SOUTH Company

FPSC-RECORDS/REPORTING

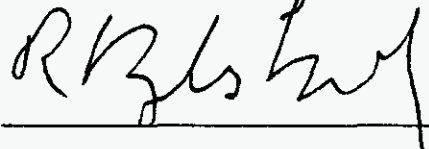
CERTIFICATE OF SERVICE  
DOCKET NO. 910163-TL

I HEREBY CERTIFY that a correct copy of the foregoing has been furnished by U.S. Mail or hand-delivery to the following persons on this 16th day of August, 1991.

Charles J. Beck  
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Tallahassee, Florida 32399-1400

Robert Vandiver  
Division of Legal Services  
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Tracy Hatch  
Division of Legal Services  
Florida Public Service Commission  
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Tallahassee, Florida 32399-0863

  
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into the )  
Integrity of Southern Bell's ) Docket No. 910163-TL  
Repair Service Activities ) Filed: August 16, 1991  
and Reports )  
\_\_\_\_\_)

SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY'S  
RESPONSE AND OBJECTIONS TO PUBLIC COUNSEL'S  
SEVENTH REQUEST FOR PRODUCTION OF DOCUMENTS AND  
MOTION FOR A TEMPORARY PROTECTIVE ORDER

COMES NOW Southern Bell Telephone and Telegraph Company ("Southern Bell" or "Company") and files, (1) pursuant to Rule 25-22.034, Florida Administrative Code, and Rules 1.280(c) and 1.350 of the Florida Rules of Civil Procedure, its Response and Objections to the Office of Public Counsel's ("Public Counsel") Seventh Request for Production of Documents dated July 12, 1991, and (2) pursuant to Rule 25-22.006(5)(c), Florida Administrative Code, its Motion for a Temporary Protective Order. To the extent that any individual request might otherwise be the subject of a motion for a protective order other than pursuant to Rule 25-22.006(5)(c), this response may be considered as serving that purpose. See, Slatnick v. Leadership Housing System of Florida, Inc. 368 So.2d 78 (Fla. 4th DCA 1979).

GENERAL RESPONSE AND OBJECTIONS

1. Southern Bell makes a general objection to Requests 2, 3, 4, 5, 6, 7, and 8, on the grounds that the requests are too broad in scope as to time and lack specificity with regard to the subject matter of this docket. Each request is worded so broadly, particularly when coupled with the instructions

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accompanying the requests, that it is impossible to conclude with any degree of assurance that Southern Bell could even identify each responsive document. For instance, each of the requests ask for "all documents" "identifying", "listing", "explaining", "discussing" or "detailing" a particular topic, in some cases, for a period of five years and in other cases, eleven years. Such an approach to discovery is precisely what the court prohibited in Caribbean Security Systems, Inc. v. Security Control Systems, Inc., 486 So.2d 654 (Fla. App. 3rd District, 1986).

2. Southern Bell does not believe it was Public Counsel's intent to require Southern Bell to produce the same documents previously or contemporaneously produced in other dockets, but to the extent it does, Southern Bell objects on the basis that such a request would be unduly burdensome, oppressive and unnecessary, and for these reasons is prohibited.

3. Some of the documents that will be delivered to and reviewed by Public Counsel contain proprietary confidential business information which should not be publicly disclosed. Thus, pursuant to the Commission's rule on confidentiality, Rule 25-22.006(5)(c), Florida Administrative Code, Southern Bell moves the Prehearing Officer to issue a Temporary Protective Order exempting these documents from Section 119.07(1), Florida Statutes. Once Public Counsel notifies Southern Bell that any of the proprietary documents are to be used in a proceeding before the Commission, Southern Bell will file a detailed Motion for

Protective Order specifically addressing each of the documents identified in accordance with Rule 25-22.006, Florida Administrative Code. The proprietary information in question is furnished in response to Request No. 4, and consists of internal audits and reports of internal auditors and therefore constitutes confidential, proprietary business information pursuant to Section 384.183 (3), Florida Statutes.

4. Southern Bell objects to the time and place designated by Public Counsel on the basis that they are unreasonable, but will produce the responsive documents it has identified at a mutually agreeable time and place.

#### SPECIFIC RESPONSES

5. Subject to the general objections, each of which is incorporated by reference into the specific responses made herein, Southern Bell responds to the individual numbered requests contained in Public Counsel's Seventh Request for Production of Documents as follows:

A. In response to Request No. 1, Southern Bell states that it does not have in its possession, custody or control any documents responsive to Request No. 1. All relevant training manuals have been previously provided pursuant to earlier discovery requests in this docket.

B. In response to Request No. 2, Southern Bell will produce, at a mutually convenient time and place, the responsive materials it has been able to identify which it has in its possession, custody or control.

C. In response to Request No. 3, Southern Bell will produce, at a mutually convenient time and place, the responsive materials it has been able to identify which it has in its possession, custody or control.

D. In response to Request No. 4, Southern Bell will produce, at a mutually convenient time and place, the responsive materials it has been able to identify which it has in its possession, custody or control.

E. In response to Request No. 5, Southern Bell states that it does not have in its possession, custody or control any documents responsive to Request No. 5. There are no "MOOSA Codes" per se, and all relevant codes (e.g. VER, TYPE and Class of Service) have previously been provided in response to earlier discovery requests in this docket.

F. In response to Request No. 6, Southern Bell will produce, at a mutually convenient time and place, the responsive materials it has been able to identify which it has in its possession, custody or control.

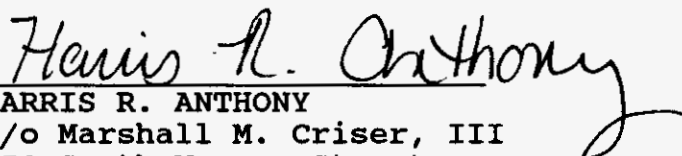
G. In response to Request No. 7, Southern Bell states that it does not have in its possession, custody or control any documents responsive to Request No. 7. By way of further explanation, the last access to codes that may influence MOOSA occurs when a trouble is closed by a repair person. Once a trouble is closed on the front end computer, the codes that relate to that trouble are locked in. Users can view the trouble with a DLETH, MTAS Report, etc., but have no capability to change

anything about that trouble. Reports that meet MOOSA Criteria are programmatically selected from closed troubles and transmitted to RCRIS for automatic handling or to BOCRIS for transmission to the appropriate service center printer for manual handling.

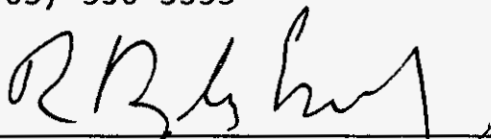
H. In response to Request No. 8, Southern Bell states that it does not have in its possession, custody or control any documents responsive to Request No. 8. By way of further explanation, the only people with access to the actual programs are the application programmers in Birmingham. The people on site have no access to the source code. Program changes are coordinated by the BSS Network I&M/IMC Staff in conjunction with the Florida Staff and/or other subject matter experts.

Respectfully submitted this 16th day of August, 1991.

SOUTHERN BELL TELEPHONE  
AND TELEGRAPH COMPANY



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